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# Unaccompanied Children from Central America: Foreign Policy Considerations

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## Summary

In recent months, U.S. policy makers have expressed concerns about a significant increase in the number of unaccompanied alien children (UAC) being apprehended at the U.S. border. More than 63,000 such children were apprehended over the first 10 months of the fiscal year—a 100% increase compared to same time period of FY2013. This unexpected surge of children has strained U.S. government resources and created a complex crisis with humanitarian implications for the United States and the international community. Although the flow of unaccompanied minors appears to have slowed since July, experts warn it may accelerate again after the summer heat passes.

Children from El Salvador, Guatemala, and Honduras—the “northern triangle” of Central America—account for the vast majority of those apprehended this fiscal year. While there is no consensus regarding why exactly they left their homes, most analysts maintain that the problem is complex, involving interactions between so-called “push factors” such as high levels of violence and poverty in Central America and “pull factors” such as the desire to join family members in the United States and perceptions about U.S. immigration policies. Given the diversity of the unaccompanied children and their motives, the lines of distinction between and among refugees, asylum seekers, and migrants are not always clear.

The surge in unaccompanied children from Central America has led to renewed focus on a region with which the United States historically has shared close political, economic, and cultural ties. The United States currently engages with Central American countries through a variety of mechanisms, including the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) and a variety of foreign assistance programs designed to promote economic and social opportunity, ensure citizen security, strengthen democratic governance, and secure a clean energy future. In recent months, the Obama Administration has sought closer cooperation with Central American governments in dissuading children from making the journey to the United States and targeting smuggling networks. It has also sought increased assistance for Central American governments, requesting \$300 million in FY2014 supplemental appropriations to support programs designed to receive and reintegrate children and other migrants who are repatriated to the region and to address root causes of emigration.

Congress has taken some initial steps to respond to the situation on the border, with Members holding numerous hearings, traveling to the region, and introducing legislation. Bills were introduced in both houses of Congress in response to the President’s supplemental appropriations request. While S. 2648 would provide \$300 million in new funding for programs in Central America, H.R. 5230 would allow \$40 million of previously appropriated assistance to be reprogrammed to support repatriation and reintegration activities in the region. The FY2015 Department of State, Foreign Operations, and Related Programs Appropriations bills introduced in both houses also include provisions to address the surge in unaccompanied children. S. 2499 would provide \$100 million to address the root causes pushing children to leave Central America and support reintegration programs, and H.R. 5013 would provide \$120 million to help secure the Mexico-Guatemala border and combat alien smuggling and human trafficking.

As Congress continues to debate legislative options to address the foreign policy dimensions of the situation, there are a variety of interrelated issues that it might take into consideration. These include Central American governments’ limited capacities to receive and reintegrate repatriated children, and their inability and/or unwillingness to address the pervasive insecurity and lack of

socioeconomic opportunities in their countries that cause many children to leave. Other issues Congress might consider include the extent to which the Mexican government is capable of limiting the transmigration of Central Americans through its territory and how other international actors are responding to the spike in apprehensions of unaccompanied children.

For more information, see:

- CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*;
- CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*;
- CRS Report R43616, *El Salvador: Background and U.S. Relations*;
- CRS Report R42580, *Guatemala: Political, Security, and Socio-Economic Conditions and U.S. Relations*; and
- CRS Report RL34027, *Honduras: Background and U.S. Relations*.

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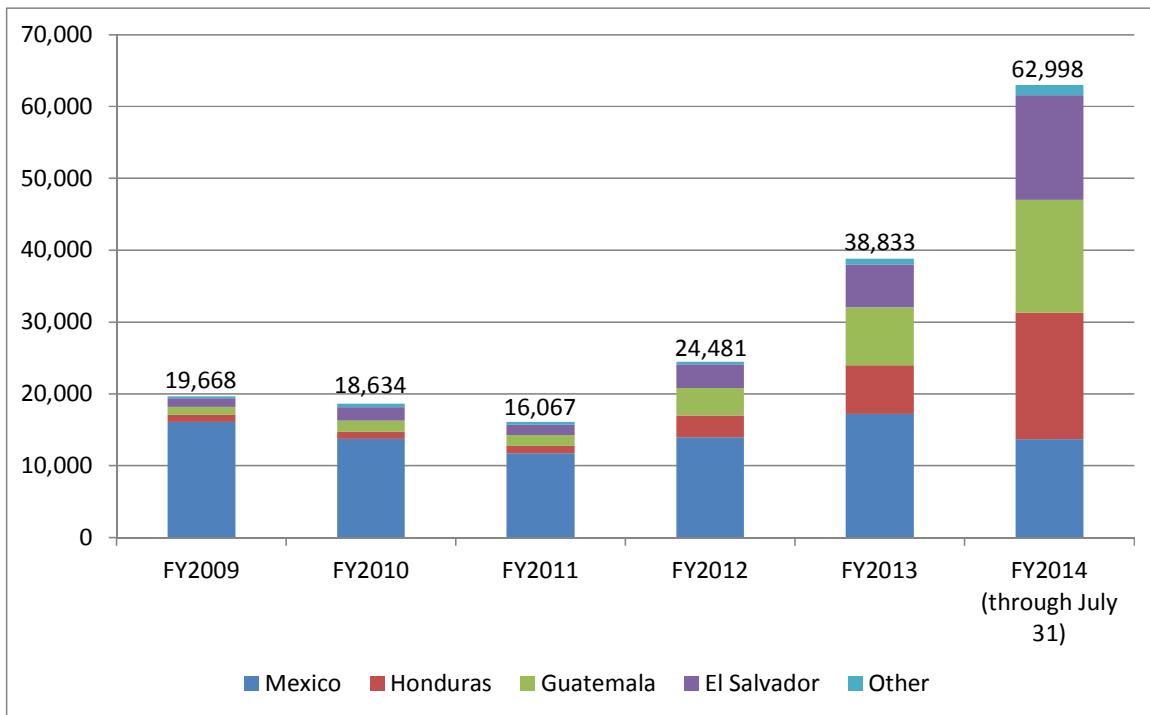
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## Introduction

Over the past year, there has been a sharp increase in the number of unaccompanied minors<sup>1</sup> apprehended along the U.S.-Mexico border. Nearly 63,000 unaccompanied minors were apprehended during the first 10 months of fiscal year (FY) 2014—a 100% increase compared to the nearly 31,500 unaccompanied minors apprehended during the first 10 months of FY2013. This dramatic spike has strained U.S. government resources, created a complex crisis with humanitarian implications, and raised concerns both domestically and internationally about the safety and protection of the children. Although the flow of unaccompanied minors appears to have slowed since July, experts warn it may accelerate again after the summer heat passes.

**Figure 1. Apprehensions of Unaccompanied Minors by Country of Origin: FY2009-FY2014**



**Source:** U.S. Border Patrol, “Unaccompanied Children (Age 0-17) Apprehensions, Fiscal Year 2008 through Fiscal Year 2012,” February 4, 2013; and U.S. Customs and Border Protection, “Southwest Border Unaccompanied Alien Children,” August 2014.

The changing demographics of the unaccompanied minors apprehended at the border have contributed to the complexity of the situation. Whereas the vast majority of unaccompanied minors came from Mexico prior to FY2012, the recent surge is attributable to children from the countries of the so-called “northern triangle” of Central America—El Salvador, Guatemala, and Honduras (see **Figure 1**)—who are subject to a different administrative process under U.S. law.<sup>2</sup>

<sup>1</sup> In this report, “unaccompanied minors” and “unaccompanied children” are used interchangeably to refer to foreign nationals under the age of 18 who are neither with a parent nor a legal guardian at the time they are apprehended.

<sup>2</sup> CRS Report IN10107, *Unaccompanied Alien Children: A Processing Flow Chart*, by Lisa Seghetti.

Moreover, there have been considerable increases in the numbers of young children and female minors arriving at the U.S. border. While the bulk of the unaccompanied minors that have been apprehended are teenage boys, the proportion of children that are 12 or younger has increased from 9% in FY2013 to 16% in FY2014, and the proportion that are girls has increased from 19% in FY2013 to 28% in FY2014.<sup>3</sup>

There is little consensus among analysts regarding why there has been such a sharp increase in the number of unaccompanied minors arriving at the U.S. border. However, most maintain that the problem is complex, involving interactions between so-called “push factors” such as high levels of violence and poverty in Central America and “pull factors” such as the desire to join family members in the United States and perceptions about U.S. immigration policies.<sup>4</sup>

Given the diversity of the unaccompanied children and their motives, the lines of distinction between and among refugees, asylum seekers, and migrants are not always clear. Appropriately identifying the individuals or groups at risk is a key challenge for the United States and the international community.

Members of Congress have expressed significant concerns about the influx of unaccompanied minors and have begun considering policy options for addressing the situation. This report focuses on the foreign policy dimensions of the crisis. It begins by examining U.S. policy in Central America, including a brief historical background, the current policy framework, and the initial response to the surge in unaccompanied minors. The report then discusses a variety of issues Congress might take into consideration as it formulates policy toward the region. These include the capacity of Central American nations to receive and reintegrate unaccompanied children removed (“deported”) from the United States, the capacity of Central American nations to address the root causes of the exodus, the role of Mexico as a transit country, and the response of the international community. The report concludes with an outlook for U.S. policy.

## **U.S. Policy in Central America**

The surge in unaccompanied children arriving at the U.S.-Mexico border has led to a renewed focus on Central America. As policy makers debate how to respond to the situation, they might consider how U.S. policy has influenced the region in the past, the current framework for U.S. engagement in the region, and what steps have been taken thus far.

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<sup>3</sup> Jens Manuel Krogstad, Ana Gonzalez-Barrera, and Mark Hugo Lopez, *Children 12 and Under are Fastest Growing Group of Unaccompanied Minors at U.S. Border*, Pew Research Center, July 22, 2014; and *At the Border, a Sharp Rise in Unaccompanied Girls Fleeing Honduras*, Pew Research Center, July 25, 2014.

<sup>4</sup> U.S. Conference of Catholic Bishops, *Mission to Central America: The Flight of Unaccompanied Children to the United States*, Report of the Committee on Migration, November 2013; U.N. High Commissioner for Refugees (UNHCR), *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, March 12, 2014; and Dinorah Azpuru, “Beyond the Blame Game: Visualizing the Complexity of the Border Crisis,” *Americas Quarterly*, August 6, 2014. For more information, see CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*, coordinated by William A. Kandel.

**Figure 2. Map of Central America**



**Source:** Prepared by Amber Hope Wilhelm, CRS Graphics Specialist.

**Notes:** El Salvador, Guatemala, and Honduras are often referred to as the "northern triangle" countries.

## Background

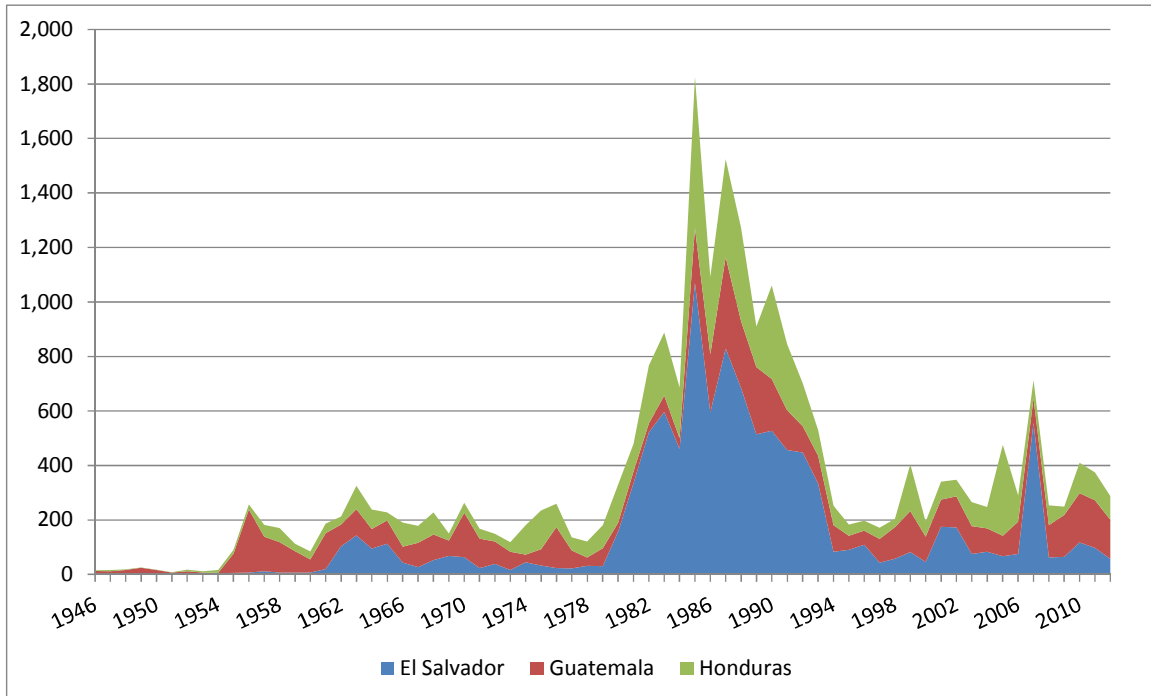
Given the geographic proximity of Central America, the United States historically has had close political, economic, and cultural ties with the region. During the Cold War, the U.S. government viewed links between the Soviet Union and leftist and nationalist political movements in Central America as a potential threat to U.S. strategic interests. The United States provided extensive assistance (equivalent to \$9 billion constant 2012 dollars) to El Salvador, Guatemala, and Honduras during the 1980s as the Salvadoran and Guatemalan governments fought leftist insurgencies and the Honduran government supported U.S. policy in the region.<sup>5</sup> An estimated 70,000 Salvadorans and 200,000 Guatemalans were killed or disappeared during the countries' civil conflicts, and truth commissions have determined that government forces were responsible

<sup>5</sup> U.S. Agency for International Development (USAID), *U.S. Overseas Loans and Grants: Obligations and Loan Authorizations, July 1, 1945-September 30, 2012*, <http://gbk.eads.usaidallnet.gov/>.

for the vast majority of human rights abuses committed.<sup>6</sup> Many Central Americans fled the region, seeking refuge in the United States. As part of its efforts to foster political and economic stability in Central America, the United States established the Caribbean Basin Initiative (CBI, formally the Caribbean Basin Economic Recovery Act) in 1983. The unilateral preferential trade arrangement provided duty-free access to the U.S. market for many goods from the region.

**Figure 3. U.S. Assistance to El Salvador, Guatemala, and Honduras: FY1946-FY2012**

Total obligations from all U.S. agencies in millions of constant 2012 U.S. dollars



**Source:** U.S. Agency for International Development (USAID), *U.S. Overseas Loans and Grants: Obligations and Loan Authorizations, July 1, 1945-September 30, 2012*, <http://gbk.eads.usaidallnet.gov/>.

U.S. support for Central America began to wane in the 1990s following the dissolution of the Soviet Union and the end of the region’s civil conflicts. Peace accords were signed in El Salvador in 1992 and in Guatemala in 1996. Although the United States provided some support to Central American countries to strengthen democratic governance and implement market-oriented economic reforms and provided considerable assistance in the aftermath of natural disasters such as Hurricane Mitch in 1998, aid to the northern triangle countries declined significantly during the 1990s (see **Figure 3**). Following the passage of the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) of 1996, the United States accelerated deportations of Central Americans. Nearly 46,000 convicts were among those deported to the region between 1998 and 2005;<sup>7</sup> these included members of the Mara Salvatrucha (MS-13) and 18<sup>th</sup> Street Gang (M-18)—

<sup>6</sup> Priscilla B. Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (New York: Routledge, 2002).

<sup>7</sup> U.N. Office on Drugs and Crime (UNODC), *Crime and Development in Central America: Caught in the Crossfire*, May 2007, p.40.



both of which were founded in Los Angeles—contributing to the spread of gang violence in Central America.<sup>8</sup>

## Current Policy Framework

The Obama Administration has set forth a broad framework for U.S. policy toward Latin America that includes four principal objectives: promoting economic and social opportunity; ensuring citizen security; strengthening effective institutions of democratic governance; and securing a clean energy future. The State Department maintains that these policy priorities are based on the premise that “the United States has a vital interest in contributing to the building of stable, prosperous, and democratic nations” in the hemisphere.<sup>9</sup> The U.S. government has sought to advance these priorities in Central America through a variety of mechanisms, including foreign assistance and trade agreements.

Given that El Salvador, Guatemala, and Honduras continue to struggle with major development challenges, foreign aid continues to play a prominent role in U.S. engagement with the region. In FY2014, bilateral assistance provided through the State Department and U.S. Agency for International Development (USAID) is expected to total \$22.3 million in El Salvador, \$65.2 million in Guatemala, and \$41.9 million in Honduras. The Obama Administration’s FY2015 request would increase bilateral aid to \$27.6 million in El Salvador, \$77.1 million in Guatemala, and \$48.2 million in Honduras (see **Table 1**). This funding would be split between efforts to strengthen justice and security sector institutions and traditional development activities in areas such as agriculture, basic education, and economic reform. Although El Salvador receives lower levels of aid than its neighbors, it benefits from closer collaboration with the United States through the Partnership for Growth.<sup>10</sup>

Central American countries also are receiving assistance from the Millennium Challenge Corporation (MCC).<sup>11</sup> Established in 2004, the MCC provides economic assistance through a competitive selection process to developing nations that demonstrate a commitment to good governance, economic freedom, and investments in their citizens. In 2005, the MCC signed a five-year \$215 million<sup>12</sup> compact to improve transportation infrastructure and support rural development in Honduras. Although the MCC Board decided not to renew the compact as a result of the Honduran government’s poor performance on corruption, it approved a so-called “threshold program” of up to \$15.6 million in 2013 to support Honduran government efforts to strengthen public financial management and increase the transparency and efficiency of public-private partnerships. In 2006, the MCC signed a five-year \$461 million compact to support development in the northern border region of El Salvador. The MCC Board approved a second

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<sup>8</sup> Ana Arana, “How the Street Gangs Took Central America,” *Foreign Affairs*, vol. 84, no. 3 (May/June 2005); Tim Johnson, “U.S. Export: Central America’s Gang Problem Began in Los Angeles,” *McClatchy*, August 5, 2014.

<sup>9</sup> U.S. Department of State, Arturo Valenzuela, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, “U.S.-Latin American Relations: A Look Ahead,” January 6, 2011.

<sup>10</sup> The Partnership for Growth is an Administration initiative that seeks to foster sustained economic growth and development in top-performing low-income countries. It involves greater collaboration but does not necessarily portend an increase in U.S. assistance. For more information, see CRS Report R43616, *El Salvador: Background and U.S. Relations*, by Clare Ribando Seelke.

<sup>11</sup> For more information on the MCC, see CRS Report RL32427, *Millennium Challenge Corporation*, by Curt Tarnoff.

<sup>12</sup> The compact was ultimately reduced to \$205 million as \$10 million was terminated following the 2009 coup in Honduras.

five-year compact with El Salvador in 2013, but the \$277 million agreement designed to improve the country’s investment climate, human capital, and infrastructure, has yet to be finalized. The MCC Board has also approved a threshold program for Guatemala.

U.S. security cooperation with the countries of the northern triangle has grown considerably in recent years in response to high levels of crime and violence and the region’s emergence as a major transit point for illicit narcotics destined for the United States. Much of this cooperation has taken place under the umbrella of the Central America Regional Security Initiative (CARSI).<sup>13</sup> Initially established in FY2008 as part of the Mexico-focused Mérida Initiative, CARSI provides partner nations with equipment, technical assistance, and training to improve narcotics interdiction and disrupt criminal networks. It also supports Central American law enforcement and justice sector institutions, identifying deficiencies and strengthening their capacities to provide security for the citizens of the region. In addition, CARSI supports crime and violence prevention efforts that seek to reduce drug demand and provide at-risk youth with educational, vocational, and recreational opportunities. CARSI funding for FY2014 is expected to total \$161.5 million, the majority of which will likely go to El Salvador, Guatemala, and Honduras. The Administration’s FY2015 request for CARSI is \$130 million (see **Table 1**).<sup>14</sup>

**Table 1. U.S. Assistance to Central America: FY2013-FY2015**

Appropriations in millions of U.S. dollars

	<b>FY2013 (actual)</b>	<b>FY2014 (estimate)</b>	<b>FY2015 (request)</b>
El Salvador	27.6	22.3	27.6
Guatemala	80.8	65.2	77.1
Honduras	52.0	41.9	48.2
Other Central American Countries <sup>a</sup>	14.7	13.6	14.8
USAID Central America Regional program <sup>b</sup>	33.1	32.5	32.0
Central America Regional Security Initiative (CARSI) <sup>b</sup>	145.6	161.5	130.0
<b>Total</b>	<b>353.8</b>	<b>337.0</b>	<b>329.7</b>

**Source:** U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Fiscal Year 2015*, April 2014.

**Notes:** These figures only include bilateral assistance that is managed by the State Department or the U.S. Agency for International Development (USAID). These countries may receive additional assistance from other U.S. agencies.

- a. Includes assistance for Belize, Costa Rica, Nicaragua, and Panama.
- b. It is unclear how much of the funding appropriated for USAID’s Central America Regional Program and CARSI will go to each Central American country.

<sup>13</sup> For more information on CARSI, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke.

<sup>14</sup> U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Appendix 3: Regional Perspectives, Fiscal Year 2015*, April 2014.

Trade and investment relations between the United States and the northern triangle countries are governed by the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR), which was signed in 2004 and entered into force for El Salvador, Guatemala, and Honduras in 2006. The agreement builds on CBI by making preferential market access reciprocal, comprehensive, and permanent.<sup>15</sup> Since CAFTA-DR entered into force, U.S. merchandise trade with the countries of the northern triangle has increased by about 40%, from \$18 billion in 2006 to \$25.4 billion in 2013; U.S. exports to the region have grown by 52% and U.S. imports from the region have grown by 29%. The stock of U.S. direct investment in the northern triangle countries has grown from \$1.9 billion in 2006 to \$4.9 billion in 2013—an increase of 153%. These trends vary somewhat by country; Honduras, for example, has seen little change in U.S. direct investment.

There continue to be strong cultural ties between the United States and Central America, and many continue to leave the region for the United States, both through authorized and unauthorized means. In 2012, the foreign-born populations from El Salvador (1,254,501), Guatemala (880,869), and Honduras (535,725) ranked as the 6<sup>th</sup>, 10<sup>th</sup>, and 16<sup>th</sup> largest groups, respectively, of all foreign born groups in the United States.<sup>16</sup> According to Department of Homeland Security (DHS) estimates, 55% of Salvadorans, 64% of Guatemalans, and 67% of Hondurans residing in the United States are in the country illegally.<sup>17</sup>

U.S. deportations to the northern triangle countries have increased significantly in recent years. Since FY2011, the number of Salvadorans removed has increased by 24%, the number of Guatemalans removed has increased by 57%, and the number of Hondurans removed has increased 68%. In FY2013, about 21,600 Salvadorans, 47,800 Guatemalans, and 37,000 Hondurans were removed from the United States.<sup>18</sup> Some Central Americans, who may otherwise be deported, have been allowed to stay in the United States with Temporary Protected Status (TPS). The U.S. government has continuously provided TPS to eligible Hondurans since 1998 when Hurricane Mitch struck Honduras and to eligible Salvadorans since 2001 when El Salvador experienced a series of earthquakes. An estimated 64,000 Hondurans and 212,000 Salvadorans currently benefit from TPS.<sup>19</sup>

## **Initial Response to Surge in Unaccompanied Minors**

In recent months, U.S. policy makers have devoted considerable attention to the surge in unaccompanied minors from Central America. While much of the initial response focused on actions within the United States, both the Obama Administration and Congress have taken some initial steps intended to address the foreign policy dimensions of the situation.

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<sup>15</sup> For more information on CAFTA-DR, see CRS Report R42468, *The Dominican Republic-Central America-United States Free Trade Agreement (CAFTA DR): Developments in Trade and Investment*, by J. F. Hornbeck.

<sup>16</sup> U.S. Census Bureau, *2012 American Community Survey (ACS), Public Use Micro Sample (PUMS)*.

<sup>17</sup> Bryan Baker and Nancy Rytina, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2012*, Department of Homeland Security (DHS), Office of Immigration Statistics, March 2013.

<sup>18</sup> CRS calculations based on FY2011 removal data from DHS, Office of Immigration Statistics and FY2013 removal data from DHS, Immigration and Customs Enforcement (ICE).

<sup>19</sup> CRS Report RS20844, *Temporary Protected Status: Current Immigration Policy and Issues*, by Ruth Ellen Wasem and Karma Ester.

## **Obama Administration's Response**

The Obama Administration has responded to the spike in the number of unaccompanied minors traveling to the United States from Central America in a number of ways. Since June 2014, it has sought to establish a common understanding of the situation and coordinate a response with the Salvadoran, Guatemalan, Honduran, and Mexican governments. This diplomatic outreach has included visits to the region by Vice President Joseph Biden, Secretary of State John Kerry, Secretary of Homeland Security Jeh Johnson, and other high level Administration officials. Likewise, President Obama hosted President Salvador Sánchez Ceren of El Salvador, President Otto Pérez Molina of Guatemala, and President Juan Orlando Hernández of Honduras at the White House. As a result of U.S. engagement, the Central American governments have implemented public awareness campaigns, increased their consular presence on the border, and strengthened their enforcement efforts against smuggling organizations.<sup>20</sup>

Administration officials have also engaged in extensive public diplomacy. The President and other officials have warned Central Americans about the dangers involved in traveling to the United States, and have sought to correct possible misperceptions about U.S. immigration policies. U.S. Customs and Border Protection (CBP) has launched an awareness campaign that includes media outreach in metropolitan areas of the United States that have high concentrations of Central American immigrants, as well as billboards and public service announcements in El Salvador, Guatemala, and Honduras. CBP expects about 6,500 radio and television announcements to air in the region through September 7, 2014.<sup>21</sup>

In addition to these diplomatic initiatives, the Administration has intensified its efforts to target and dismantle human smuggling operations. Between June 23—when DHS surged personnel to the border—and July 22, 2014, 192 smugglers and their associates were arrested, more than 500 unauthorized immigrants were taken into custody, and more than \$625,000 was seized from 288 bank accounts held by human smuggling and drug trafficking organizations. DHS is working with officials in Mexico and Central America to track, interdict, and seize illicit funds flowing through the region.<sup>22</sup>

The Administration has also sought to increase foreign assistance to Central America. During his trip to Guatemala in June 2014, Vice President Biden announced funding for several new aid programs. This included \$9.6 million to strengthen the Salvadoran, Guatemalan, and Honduran governments' abilities to receive and reintegrate repatriated citizens; \$40 million for a 5-year USAID program in Guatemala to reduce risk factors for youth involvement in gangs and address factors driving migration to the United States; and \$25 million for a 5-year USAID crime and violence prevention program in El Salvador, which will establish new outreach centers to provide services to at-risk youth.<sup>23</sup> Funding for these activities was reprogrammed from existing FY2014 appropriations.

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<sup>20</sup> White House, Office of the Press Secretary, "Fact Sheet: Visit of President Perez Molina of Guatemala, President Hernandez of Honduras, and President Sanchez Ceren of El Salvador," July 25, 2014.

<sup>21</sup> U.S. Customs and Border Protection (CBP), "CBP Commissioner Discusses Dangers of Crossing U.S. Border, Awareness Campaign," July 2, 2014.

<sup>22</sup> DHS, "Secretary Johnson Announces 192 Criminal Arrests in Ongoing ICE Operation to Crack Down on Human Smuggling to the Rio Grande Valley," press release, July 22, 2014.

<sup>23</sup> White House, Office of the Press Secretary, "Fact Sheet: Unaccompanied Children from Central America," June 20, 2014.

On July 8, 2014, the Administration submitted an emergency supplemental appropriations request to Congress to address the surge in unaccompanied minors. Of the \$3.7 billion request, \$300 million would be dedicated to programs in Central America:

- About \$125 million of that would be used to foster economic prosperity in the region, including programs to improve access to affordable energy, promote local economic development, strengthen workforce development, improve customs and border controls, and support small-scale farmers coping with a coffee rust epidemic.
- Another \$70 million would be used to improve governance in the region through fiscal and public financial management reforms and efforts to strengthen justice systems and the rule of law.
- Roughly \$80 million would go toward security programs, including community-based crime prevention, prison reform, police capacity-building, and U.S. vetted units designed to counter transnational organized crime.
- Another \$20 million would support programs designed to receive and reintegrate children and other migrants who are repatriated to the region.
- Finally, \$5 million would be used for diplomatic and consular programs focused on leadership development among potential migrants and media campaigns designed to discourage emigration.<sup>24</sup>

## **Congressional Action**

Members of Congress have expressed significant concerns about the surge in unaccompanied minors arriving at the southwest border. Numerous committees in both houses have held hearings,<sup>25</sup> and some Members have traveled to Central America to obtain a better understanding of the situation. Congress had also begun to consider legislation to address several aspects of the issue prior to the August District Work Period.

### ***FY2014 Supplemental Appropriations Legislation***

Bills were introduced in both houses of Congress following President Obama's FY2014 supplemental appropriations request. The Senate introduced S. 2648 on July 23, 2014. Like the Administration's request, the bill would provide \$300 million for programs in Central America. Most of the funds, \$212.5 million, would be appropriated under the Economic Support Fund (ESF) account to support the safe repatriation and reintegration of Central American migrants and address the root causes pushing unaccompanied minors and others to leave the region. Of the ESF funds, \$10 million would be transferred to the Department of Justice to support investigative and prosecutorial capacity building programs, and \$5 million would be transferred to the Inter-

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<sup>24</sup> U.S. Department of State, *Supplemental Request Justification for Department of State, Foreign Operations, and Related Programs, Fiscal Year 2014*, July 8, 2014.

<sup>25</sup> See, for example, U.S. Congress, House Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, *Children Migrating from Central America: Solving a Humanitarian Crisis*, Hearing, 113th Cong., 2nd sess., June 25, 2014.; and U.S. Congress, Senate Committee on Foreign Relations, *Dangerous Passage: Central America in Crisis and the Exodus of Unaccompanied Minors*, Hearing, 113th Cong., 2nd sess., July 17, 2014.

American Foundation<sup>26</sup> to support programs for at-risk youth. Another \$85 million would be appropriated under the International Narcotics Control and Law Enforcement (INCLE) account to strengthen law enforcement and judicial capacity and address other root causes of migration. An additional \$2 million would be appropriated to support public diplomacy programs, and \$500,000 would be appropriated to support public service announcements and other broadcasts.

S. 2648 includes several policy directives. It would require the Secretary of State and the Administrator of USAID to develop an “integrated, multi-year prevention and response strategy” for addressing Central American migration, including “projected annual funding requirements, specific goals, and benchmarks for measuring progress.” It also states that the Secretary of State “should suspend assistance” to any Central American government that is not cooperating in meeting the goals and benchmarks. Moreover, the bill calls for funding contributions from Central American governments, stating that the funds appropriated “shall be made available, to the maximum extent practicable, on a cost-matching basis.”

Unlike the Senate bill, the House supplemental appropriations bill, H.R. 5230, which was introduced on July 29, 2014 and adopted on August 1, 2014, would not appropriate new funds for programs in Central America. It would reprogram “up to” \$40 million appropriated in the Consolidated Appropriations Act, 2014 (P.L. 113-76) and prior acts, to support repatriation and reintegration activities in Central America. The bill would require the Secretary of State to submit regular reports to Congress on the steps taken by the Salvadoran, Guatemalan, and Honduran governments to: (1) improve border security; (2) enforce laws and policies to stem the flow of illegal entries into the United States; (3) enact laws and implement new policies to stem the flow of illegal entries into the United States, including increasing penalties for human smuggling; (4) conduct public outreach campaigns to explain the dangers of the journey to the southwest border of the United States and to emphasize the lack of immigration benefits available; and (5) cooperate with U.S. federal agencies to facilitate and expedite the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States. The bill states that the Secretary of State “shall suspend assistance” to any Central American government that is not making significant progress on each of the five items.

### ***FY2015 Appropriations Legislation***

The foreign aid appropriations bills for FY2015 introduced in both houses also include provisions designed to address the surge in unaccompanied children. In the Senate, S. 2499, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015, was reported out of the Committee on Appropriations on June 19, 2014. It would require the Secretary of State and the Administrator of USAID to develop a prevention and response strategy designed to address the root causes pushing unaccompanied children to leave Central America, ensure the safe return and reintegration of such minors, and address the need for family support, foster care, and adoption programs. The bill would provide “not less than” \$100 million “in addition to amounts otherwise made available” for Central American countries to implement the strategy.

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<sup>26</sup> The Inter-American Foundation (IAF) is an independent U.S. agency that provides small grants to community-led development initiatives throughout Latin America and the Caribbean. Some 25% of IAF's current grants (or \$16 million) are being provided to organizations in Central America, many of which are located in migrant-sending communities. Grantees are carrying out projects that focus on microenterprises, sustainable agriculture, job training for at-risk youth, education, and cultural activities to reduce youth migration.

The House Committee on Appropriations reported its version of the bill, H.R. 5013, on June 27, 2014. It would provide “not less than” \$120 million to address the increased number of unaccompanied children arriving at the U.S. border. Of the funds appropriated, \$88 million would support border security initiatives—with a focus on Mexico’s southern border, \$20 million would be used to combat human trafficking and smuggling, \$10 million would support repatriation and reintegration efforts, and \$2 million would support a regional dialogue on the issue. Additionally, the bill would direct the Secretary of State to develop a multi-country strategy for implementing these initiatives. It would also direct the Secretary to work with Mexican and Central American officials to accurately explain the immigration laws of the United States and the dangers posed by transnational criminal organizations, and develop methods to expedite the safe repatriation of unaccompanied minors. In addition to these funds, H.R. 5013 would provide \$170 million for CARSI, which focuses on some of the root causes of Central American migration.

### ***Other Proposed Measures***

Several other measures have been introduced in recent months focusing on assistance to the northern triangle countries. H.R. 5014 (Illegal Entry Accountability Act of 2014, Weber), introduced on June 30, 2014, would suspend all non-INCLE foreign assistance to El Salvador, Guatemala, Honduras, and Mexico until Congress determines the countries have taken sufficient action to mitigate irregular migration. Similarly, H.R. 5141 (Unaccompanied Alien Children Assistance Control Act, Burgess), introduced on July 17, 2014, would cut assistance to those four countries by an amount equal to \$15,000 multiplied by the number of unaccompanied children apprehended in the previous fiscal year. H.R. 5368 (Security and Opportunity for Vulnerable Migrant Children Act, Roybal-Allard), introduced July 31, 2014, would require the State Department to develop a strategy to address the factors driving child migration, create an Ambassador-at-Large for Unaccompanied Migrant Children to coordinate a regional protection effort, direct USAID to target programming toward migrant-sending communities, and authorize repatriation and reintegration programs.

## **Policy Considerations**

As Congress debates legislative options to address the foreign policy dimensions of the surge in unaccompanied minors, there are a variety of interrelated issues that it might take into consideration. These include the capacity of Central American nations to receive and reintegrate unaccompanied children deported from the United States, the capacity of Central American nations to address the root causes of the exodus, the role of Mexico as a transit country, and selected ongoing international efforts.

### **Central American Capacity to Receive and Reintegrate Deportees**

Administration officials maintain that the majority of unaccompanied minors apprehended in the United States will be returned to their home countries,<sup>27</sup> raising the question of how well equipped El Salvador, Guatemala, and Honduras are to meet the needs of the individuals sent back. Many humanitarian experts warn that “rapid deportation could threaten the wellbeing of

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<sup>27</sup> “Senior State Department Official Holds a Background Briefing en Route to Panama – News Briefing,” *CQ Transcriptions*, June 30, 2014.

returnee children” unless recipient countries are capable of providing adequate support.<sup>28</sup> A major challenge is to increase the response capacity of these countries to protect, assist, and provide solutions for displaced persons, including children, in a variety of contexts, primarily those that are being returned from another country (most often the United States or Mexico), internally displaced persons (IDPs), those at risk of displacement, and those entering the asylum channel because they are fleeing a situation elsewhere.<sup>29</sup>

The Salvadoran, Guatemalan, and Honduran governments are at varying stages in the development of mechanisms and response, particularly as they pertain to unaccompanied children. In FY2011, the most recent year for which U.S. government data are available, DHS deported 168 unaccompanied children to El Salvador, 458 to Guatemala, and 228 to Honduras.<sup>30</sup> While the number of unaccompanied children returned to the region has been limited, all three countries have reported that their resources are strained trying to keep up with the demand for services resulting from increases in adult deportees. The U.S. government has previously indicated that El Salvador and Honduras are not capable of handling large influxes of deportations, stating in its extensions of TPS that each of those countries “remains unable, temporarily, to handle the return of its nationals.”<sup>31</sup>

Moreover, questions have arisen over the capabilities of the northern triangle countries to protect those most at risk. In San Pedro Sula, Honduras—the Central American city from which the largest number of unaccompanied minors have fled this fiscal year<sup>32</sup>—at least five children deported from the United States reportedly have been killed since February 2014.<sup>33</sup> Reports also suggest that children deported to El Salvador have been killed.<sup>34</sup> Recognizing this lack of capacity, the three northern triangle governments have begun preparing for a potential significant increase in deportations by developing plans to better assist deported children and asking international donors and institutions for support in carrying them out.

To date, the Guatemalan government appears to be providing more comprehensive services to its returned citizens than its two neighbors. Some of these services were initiated in 2011 by the International Organization for Migration (IOM) with funding from USAID, but the Guatemalan

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<sup>28</sup> U.N. Office for the Coordination of Humanitarian Affairs (OCHA), *Central America and Mexico Unaccompanied Child Migration*, Situation Report No. 01, July 29, 2014.

<sup>29</sup> In crises resulting from conflict or natural disasters, population movements often occur within the affected country or flow to countries in close proximity. IDPs, who are often forced to move because of internal violence, seek safety within their state’s borders. The Internal Displacement Monitoring Centre (IDMC) reports that at the end of 2013, there were as many as 6 million people internally displaced in Latin America, having fled their homes due to war, violence (particularly related to illegal non-state actors, such as criminal entities and gangs) and human rights violations. The largest numbers of IDPs were in Colombia (5.7 million), followed by Guatemala (242,000), Mexico (180,000), Peru (150,000), and Honduras (17,000).

<sup>30</sup> U.S. Department of Health and Human Services (HHS), *Report to Congress on the Provision of P.L. 110-457 Regarding Repatriation of Unaccompanied Alien Children and U.S. Government Efforts to Protect Them from Human Trafficking*, January 16, 2013, p. 2.

<sup>31</sup> DHS, “Extension of the Designation of El Salvador for Temporary Protected Status,” Federal Register vol. 78, no. 104, May 30, 2013, doc. no. 2013-12793; and “Extension of the Designation of Honduras for Temporary Protected Status,” Federal Register vol. 78, no. 64, April 3, 2013, doc. no. 2013-07673.

<sup>32</sup> “Unaccompanied Alien Children (UACs) by Location of Origin for CY2014: Honduras, El Salvador, and Guatemala,” *Homeland Intelligence Today*, May 27, 2014.

<sup>33</sup> Cindy Carcamo, “In Honduras, U.S. Deportees Seek to Journey North Again,” *Los Angeles Times*, August 16, 2014.

<sup>34</sup> Elizabeth Kennedy, “No Childhood Here: Why Central American Children are Fleeing Their Homes,” Immigration Policy Center, July 1, 2014, p.5.



government has assumed responsibility for them since that program ended in July 2013. At a reception center at a Guatemalan Air Force base in Guatemala City, numerous government agencies provide or facilitate services including motivational welcome talks, refreshments, free phone calls, on-site banking for changing money, and psychological care. Immigration officials help process returnees; National Registry officials begin the process of getting returnees a national identification card; the Foreign Affairs Ministry explains available services and offers help such as buying transportation tickets to remote areas; and the Health Ministry has a clinical office on the premises. The National Council for Attention to Migrants provides some long-term support, dedicating about 20% of its budget to reintegration services for repatriates. Unaccompanied minors are processed in an area separate from adults, and the Guatemalan Attorney General's office takes custody of children until a family member or other guardian can be found. Services for such children are severely limited, however, as there is a single shelter that holds just 20-30 children and allows them to stay up to two days.<sup>35</sup>

Honduras currently has four reception centers for individuals removed from Mexico and the United States.<sup>36</sup> Upon their arrival, the deportees undergo medical, psychological, and social assessments. Labor Ministry officials collect information about the adults to assist them in obtaining employment, and Education Ministry officials collect information about minors to assist them in returning to school. The Honduran President has promised to enroll individuals that qualify in the country's various social welfare programs. Deportees may stay in temporary shelters for up to two days. Upon their departure, they are provided a small transportation stipend to return to their communities of origin, and—in certain cases—bags of food. The newly-created National Directorate for Children, Adolescents, and Family (DINAF) is responsible for receiving unaccompanied children and placing them with their families or in care centers (if no family can be located).<sup>37</sup>

The Salvadoran government's services for deportees are more rudimentary. Upon arrival, they receive a meal, emergency medical attention, and information from the Department of Migration about the services it offers. Reintegration assistance includes psychological services and referrals to education and job training programs. El Salvador's program for deportees does not appear to provide specialized services for unaccompanied minors, nor does it have a shelter for children who cannot be reunited with family members. Nevertheless, some Salvadoran municipalities have formed Committees on Children's Rights, and the government has set up networks between government and civil society actors to help deported minors in those locales.<sup>38</sup>

Given the limited capacities of the region's governments, some non-governmental organizations (NGOs) have stepped in to offer support to unaccompanied minors. In Guatemala, for example, Global Fund for Children (GFC) and Kids in Need of Defense (KIND) work with four nonprofit community-based organizations to provide services through the Guatemalan Child Return and

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<sup>35</sup> International Organization for Migration (IOM), "Press Conference on the Guatemalan Repatriates Project," June 3, 2011; Lee Hopkins, "Making Guatemala 'Home' Again: Service Approaches for Sustainable Reintegration of Repatriates in Guatemala," *Columbia University Partnership for International Development Online Journal*, February 9, 2014, p. 2.

<sup>36</sup> CRS communication with Honduran official, July 30, 2014.

<sup>37</sup> Gobierno de la República de Honduras, Presidencia de la República, "Gobierno de Honduras está Preparado para Recibir a Compatriotas Deportados de Estados Unidos," July 4, 2014; Augustin Lagos N., "Minucioso Protocolo Aplican a Migrantes," *El Heraldo*, July 16, 2014; "Honduras Define Nueva Estrategia de Atención a Niñez para Disuadir Migración," *Agence France Presse*, July 22, 2014.

<sup>38</sup> HHS, January 2013, op. cit.

Reintegration Project. Services include pro bono legal help during the removal process in the United States, and upon return to Guatemala, temporary shelter, family reunification assistance, psychological services, education, job training, employment assistance, and workshops to support social reintegration. GFC and KIND say they will take the best practices learned from the pilot project and promote similar projects elsewhere in the region.<sup>39</sup>

## Central American Capacity to Address Root Causes

While addressing short-term issues such as how to absorb a large influx of deportees will be challenging, addressing the root causes pushing unaccompanied children to leave El Salvador, Guatemala, and Honduras will likely be even more difficult. All three countries are characterized by poor security and socioeconomic conditions, with high violent crime rates, significant transnational gang activity, low economic growth rates, and high levels of poverty and inequality.<sup>40</sup> These conditions are interrelated, as high levels of inequality are strongly correlated with high levels of violence,<sup>41</sup> and insecurity has discouraged foreign investment and inhibited development.<sup>42</sup> Many analysts assert that the northern triangle governments lack the institutions, resources, and political will necessary to tackle these deep-seeded problems.<sup>43</sup> As long as many Central Americans feel they need to leave their communities to ensure their physical or economic security, high levels of migration to the United States will likely continue.

In recent years, much has been written about the governance problems that have made the northern triangle countries susceptible to the influence of drug traffickers and other criminal elements and unable to guarantee citizen security—a basic function of any government.<sup>44</sup> Many analysts note that the governments of these countries do not have operational control over their borders and territories. This lack of territorial control is partially a result of police and military forces being generally undermanned and/or ill-equipped to establish an effective presence in remote regions or to challenge well-armed criminal groups.

Resource constraints aside, there have also been serious concerns about corruption in the security forces, justice sector institutions, and political systems in Central America.<sup>45</sup> This corruption has occurred partially as a result of incomplete institutional reforms implemented after armed conflicts ended in El Salvador and Guatemala in the 1990s. Criminal groups' efforts to influence public officials and elections, particularly at the local level, have also contributed to corruption.

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<sup>39</sup> Kids in Need of Defense, "Guatemalan Child Return and Reintegration Project," <http://www.supportkind.org/en/kind-in-action/guatemala-return-and-reintegration-project>.

<sup>40</sup> For more information, see CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*, coordinated by William A. Kandel.

<sup>41</sup> UNODC, *Global Study on Homicide: Trends, Contexts, Data*, 2011, p. 30.

<sup>42</sup> U.N. Economic Commission on Latin America and the Caribbean (ECLAC), *2013 Foreign Direct Investment in Latin America and the Caribbean*, May 2014; U.S. Department of State, *Partnership for Growth: El Salvador Constraints Analysis*, July 2011.

<sup>43</sup> José Miguel Cruz, "The Real Failure in Central America," *Miami Herald*, July 24, 2014.

<sup>44</sup> For more information, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke.

<sup>45</sup> For recent examples of corruption see country entries in U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *2014 International Narcotics Control Strategy Report (INCSR)*, March 2014.

Even if the northern triangle countries had stronger criminal justice systems capable of addressing insecurity, some analysts have argued that governments in those countries might not be willing to make the efforts necessary to address poverty and inequality—two other factors “pushing” individuals to leave.<sup>46</sup> Central American political elites have long benefitted from emigration to the United States, which serves as a “safety valve” that reduces social pressure to address high rates of unemployment and job losses and devastation wrought by periodic natural disasters. It also provides supplementary income to families in the form of remittances sent by workers in the United States. In 2013, remittances were equivalent to about 16% of gross domestic product (GDP) in El Salvador, 9% of GDP in Guatemala, and 17% of GDP in Honduras.<sup>47</sup>

Moreover, the governments of the northern triangle countries generally have been unable or unwilling to increase revenues, which are currently inadequate to meet public needs. Elites in all three countries have vigorously opposed efforts to raise taxes even though tax rates in the northern triangle countries are comparatively low and regressive.<sup>48</sup> These elites tend to rely on private service providers for everything from education to security, thereby making them reluctant to invest in public institutions. This has left the northern triangle societies locked in a vicious circle in which governments underperform, citizen confidence in government institutions erodes, those with resources refuse to invest in public institutions, and governance and socioeconomic and security conditions continue to deteriorate.

Despite these limitations, governments in the northern triangle have made some efforts to improve conditions in their countries. In El Salvador, Vice President Oscar Ortiz earned praise as a mayor for being a leader in municipal crime prevention and is working with USAID to expand programs begun during the previous Administration in migrant-sending communities. The Honduran government has pledged to devote a third of the funds collected from a security tax, enacted and then partially repealed in 2011, to support crime and violence prevention programs.<sup>49</sup> The Guatemalan government has made some progress in addressing crime and impunity with the help of the U.N.-supported International Commission Against Impunity in Guatemala (CICIG), though some fear that progress could be rolled back now that Claudia Paz y Paz—who worked closely with CICIG on a number of high profile cases—is no longer Attorney General.<sup>50</sup>

## **Role of Mexico as a Transit Country**

Historically, Mexico’s dual status as the largest source of U.S. migrants and a continental neighbor has meant that U.S. immigration policy—including stepped up border and interior

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<sup>46</sup> Joaquín Villalobos, “Niños Inocentes y Oligarcas Voraces,” *El País*, July 12, 2014.

<sup>47</sup> CRS calculations based on remittance data from René Maldonado and Maria Luisa, *Remittances to Latin America and the Caribbean in 2013: Still Below Pre-Crisis Levels*, Inter-American Development Bank (IDB), Multilateral Investment Fund, 2014; and GDP data from International Monetary Fund (IMF), *World Economic Outlook Database, April 2014*, April 8, 2014.

<sup>48</sup> ECLAC, the Organization for Economic Cooperation and Development (OECD), and the Inter-American Center of Tax Administration (CIAT), *Revenue Statistics in Latin America: 1990-2012*, 2014, p. 24.

<sup>49</sup> Testimony of Mark Lopes, Deputy Assistant Administrator for Latin America and the Caribbean, USAID, before the House Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, *Children Migrating from Central America: Creating a Humanitarian Crisis*, 113th Cong., 2nd sess., June 24, 2014.

<sup>50</sup> Jose Luis Sanz, “Guatemala: The Fall of Paz y Paz, the End of a Judicial Awakening,” *Insight Crime*, August 15, 2014.

enforcement—has primarily affected Mexicans.<sup>51</sup> In recent years, however, emigration from Mexico has declined dramatically.<sup>52</sup> As a result, many U.S. policy makers have increasingly viewed Mexico as a partner that has an important role to play in securing its southern border and combating Central American transmigration through its territory. The Mexican government collaborates with U.S. law enforcement agencies to combat alien smuggling, human trafficking, and illegal migration by third country nationals, but stemming the flow of Central Americans destined for the United States has proven difficult.

### **Alien Smuggling and Trafficking in Persons**

Alien smuggling is often confused with trafficking in persons. Alien smuggling involves the provision of a service, generally transportation, to people who knowingly consent to that service in order to gain illegal entry into a foreign country. It ends with the arrival of the foreign national at his or her destination. Smugglers get clients through word of mouth, social networks, and even the Internet; often they are sought out by parents wanting to reunite with their children.<sup>53</sup> Trafficking in persons is a crime committed against victims who are exploited. It does not have to involve movement from one country to another; however, when it does, a victim is often lured or made to travel through the use of “force, fraud, or coercion.”<sup>54</sup> Under U.S. immigration law, a trafficked migrant is a victim while an alien who consents to being smuggled is complicit in a criminal activity and may therefore be subject to prosecution and deportation. Distinguishing the difference between a trafficking victim and a smuggled migrant can be difficult, particularly in cases involving unaccompanied children.

As U.S. border security has tightened, unauthorized migrants have become increasingly dependent upon smugglers (coyotes) to lead them through Mexico to the United States.<sup>55</sup> U.S. officials estimate that 75-80% of unaccompanied minors now travel with smugglers.<sup>56</sup> This increased demand has made alien smuggling more lucrative. Organized criminal groups, like Los Zetas, have sought to profit from the smuggling business, demanding payments from those passing through their territory, and engaging in abduction and extortion.<sup>57</sup> Some smugglers have sold migrants into situations of forced labor or prostitution (forms of human trafficking) to recover their costs; other smugglers’ failure to pay Los Zetas has reportedly resulted in massacres of migrants.<sup>58</sup> Although organized crime-related homicides in Mexico have declined at a national level since 2011, they have increased in Tamaulipas, a state traversed by many U.S.-bound Central Americans.

The Mexican government appears to be attempting to balance enforcement and humanitarian concerns in its migration policies. In addition to passing new laws to stiffen penalties for alien smuggling (2010) and human trafficking (2012), Mexico enacted a comprehensive migration reform in 2011. Contrary to some media reports, the reform did not create a transit visa for migrants crossing through Mexico—as some civil society groups had been advocating. Mexico

<sup>51</sup> CRS Report R42917, *Mexico: Background and U.S. Relations*, by Clare Ribando Seelke. For historical background, see CRS Report R42560, *Mexican Migration to the United States: Policy and Trends*, coordinated by Ruth Ellen Wasem.

<sup>52</sup> Jeffrey Passel, D’Vera Cohn, and Ana Gonzalez-Barrera, *Net Migration from Mexico Falls to Zero—And Perhaps Less*, Pew Hispanic Center, Washington, DC, 2012.

<sup>53</sup> Gabriel Stargardter and Patricia Zengerle, “E-Coyotes: The Central American People Smugglers Who ‘Like’ Facebook,” *Reuters*, August 5, 2014; Oscar Martínez, “The Northern Triangle Children Don’t Leave Alone: They Are Taken,” *Insight Crime*, July 16, 2014.

<sup>54</sup> DHS, Bureau of Immigration and Customs Enforcement (ICE), “Fact Sheet: Human Trafficking and Smuggling,” January 16, 2013.

<sup>55</sup> Chloe Gilroy and Sarah Kinoshian, “U.S.-Mexico Border Security: Helping or Hurting Human Smuggling Networks,” *Security Assistance Monitor*, August 12, 2014.

<sup>56</sup> White House, Office of the Vice President, “Remarks to the Press with Q&A by Vice President Joe Biden in Guatemala,” press release, June 20, 2014.

<sup>57</sup> Eduardo Castillo and Christopher Sherman, “Migration Spotlights Mexican ‘Coyote’ Smugglers,” *Houston Chronicle*, July 21, 2014.

<sup>58</sup> Oscar Martínez, “How the Zetas Tamed Central America’s ‘Coyotes,’” *Insight Crime*, May 1, 2014.

still requires visas for Central Americans entering its territory who do not possess a valid U.S. visa. Exceptions include those from Guatemala or Belize who possess temporary work permits, or those with regional visitor's cards allowing them to visit Mexico's border region for up to 72 hours.

According to many experts, Mexico's migration policies have produced mixed results, with their effectiveness hindered by corruption among migration officials and police.<sup>59</sup> The Mexican government has purged some corrupt staff from the National Migration Institute (INM) in the Interior Ministry over the past year, but its failure to more fully overhaul the agency has slowed implementation of the 2011 reform.<sup>60</sup> While Mexico has stepped up immigration enforcement along highways in some areas, enforcement along train routes used by some Central American migrants has, until recently, been lacking.<sup>61</sup> From January through May 2014, the Mexican government arrested 431 people for breaking provisions in the migration law; most of those individuals were accused of smuggling-related crimes.<sup>62</sup> Even when arrests are made, however, the weakness of Mexico's criminal justice system has resulted in extremely low conviction rates.<sup>63</sup>

Experts also maintain that Mexico lacks the funding and institutions to address traditional migration flows, much less the increasing numbers of unaccompanied children that its agents are detaining. According to INM, Mexico detained nearly 87,000 foreign nationals in 2013, more than 80,000 of whom were removed. Of those who were removed, some 97% originated in the northern triangle countries of Central America. In the first four months of 2014, Mexico removed some 24,000 people from the northern triangle countries, 9% more than during that period in 2013.<sup>64</sup> Mexico has only a few shelters dedicated to serving migrant children and no foster care system in which to place those who might be granted asylum. Requests for asylum filed by youth from northern triangle countries in Mexico increased from 124 in 2008 to 883 in 2013 according to the U.N. High Commissioner for Refugees; 139 youth from those countries received asylum in 2013.<sup>65</sup> Child protection officers from INM accompanied nearly 8,600 children to their countries of origin in 2013 and more than 6,300 from January to May 2014; 99% of those children originated in northern triangle countries.<sup>66</sup>

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<sup>59</sup> Tracy Wilkinson, "Exploitation Awaits Migrant Children on Mexico's Southern Edge," *Los Angeles Times*, August 2, 2014.

<sup>60</sup> Reforms that migration experts have recommended include raising hiring standards for immigration agents, regulating how migrants should be treated, and strengthening internal and external controls over migration agents. Sonja Wolf et al., *Assessment of the National Migration Institute: Towards an Accountability System for Migrant Rights in Mexico*, INSYDE, 2014.

<sup>61</sup> Adam Isacson, Maureen Meyer, and Gabriela Morales, *Mexico's Other Border: Security, Migration, and the Humanitarian Crisis as the Line with Central America*, Washington Office on Latin America (WOLA), June 2014.

<sup>62</sup> Gobierno de Mexico, Sistema Institucional de Información Estadística (SIIE), "Incidencia Delictiva del Fuero Federal, 2014."

<sup>63</sup> For more information, see CRS Report R43001, *Supporting Criminal Justice System Reform in Mexico: The U.S. Role*, by Clare Ribando Seelke.

<sup>64</sup> Gobierno de Mexico, Secretaría de Gobernación, Instituto Nacional de Migración, *Boletín de Estadísticas Migratorias*, 2013. 2014 statistics are available at <http://www.politicamigratoria.gob.mx/>.

<sup>65</sup> INM data as presented in electronic correspondence from the Mexican Embassy in Washington DC, July 21, 2014.

<sup>66</sup> Gobierno de Mexico, Secretaría de Gobernación, Instituto Nacional de Migración, "Reintegra INM a Más de 14 Mil Niños Migrantes con sus Familias," *Boletín* 31/14, June 11, 2014.

With U.S. support, the Mexican government started implementing a southern border security plan in 2013 that has involved the establishment of 12 naval bases on the country's rivers and three security cordons that stretch more than 100 miles north of the Mexico-Guatemala and Mexico-Belize borders.<sup>67</sup> Total State Department support for mobile Non-Intrusive Inspection Equipment and related equipment and training for Mexico's southern border strategy is likely to reach at least \$86.6 million. The U.S. Department of Defense (DOD) has also provided training to troops patrolling the border, communications equipment, and support for the development of Mexico's air mobility and surveillance capabilities.

## **Selected International Efforts**

The sharp increase in the number of unaccompanied children arriving at the U.S.-Mexico border prompted the U.N. High Commissioner for Refugees (UNHCR) to call for a "robust regional humanitarian response" based on principles of protection.<sup>68</sup> According to UNHCR, not every person crossing the U.S. border qualifies as a refugee, but the lines of distinction between and among refugees, asylum seekers, and migrants—particularly in the current situation—are not always clear. UNHCR is calling for children and families who fear harm in their home countries to have access to an appropriate asylum system in the United States or other country in the region. It has offered to support the United States and other asylum countries to help with immediate and longer term responses to this challenge.

A range of regional and international entities are seeking to address the needs of unaccompanied minors. UNHCR, for example, has called for cooperation with relevant governments, a number of international partners, including international organizations and NGOs, and with regional and national actors. Coordination within the U.N. system is being led by UNHCR under the Regional Protection Working Group. The Central American Integration System (SICA) may take the lead on regional policy discussions about displacement. The Organization of American States (OAS) has expressed concern through its affiliated Inter-American Commission on Human Rights (IACHR) and a Permanent Council resolution. Meanwhile, a regional arm of the National Refugee Commissions will focus on improving systems available in each country for asylum seekers. The operational priorities of different organizations include, for example, the International Committee of the Red Cross (ICRC), which focuses on the protection and assistance of communities and individuals most vulnerable to and affected by armed violence and includes assistance to migrants, missing persons, and their families in the region. The International Organization for Migration (IOM), which often partners with UNHCR, is an intergovernmental organization that focuses on migration and related issues. As noted previously, IOM has led a number of projects in the region to address migration and displacement problems.

International and regional organizations and groups are conducting meetings and activities to develop protection strategies for children who are or may be deported and may potentially face harm if sent home. These include the development of a possible regional initiative that could assist with identifying alternatives to detention, improving reception conditions, strengthening the protection mechanisms at the national level, and monitoring the situation of deported children.

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<sup>67</sup> U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, "INL Assistance for Mexico's Southern Border Strategy," fact sheet, June 2014. For more information, see CRS Report R41349, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, by Clare Ribando Seelke and Kristin Finklea.

<sup>68</sup> UNHCR, "UNHCR Calls for Comprehensive Regional Humanitarian Response to Children on the Move from Central America," press release, July 9, 2014.

UNHCR has emphasized that a regional approach should also focus on prevention strategies to address the root causes of the movement of children and families.

## Outlook

U.S. policy makers continue to face difficult decisions about how to respond to the surge in unaccompanied children attempting to enter the United States. Nearly 63,000 such children were apprehended in the first ten months of the fiscal year and more are arriving at the border every day. Absent improvements in citizen security and socioeconomic opportunities for the large youth populations in the northern triangle countries, many analysts think significant mixed migration flows of refugees, asylum seekers, and migrants are likely to continue leaving the region.

The Obama Administration's initial efforts to stem the flow of unaccompanied minors have included public diplomacy and media campaigns to discourage Central American children from making the journey, and law enforcement operations to dismantle human smuggling networks. While some observers have credited these actions for a considerable decrease in the number of unaccompanied children arriving at the border in July, others note that migration flows often peak in the spring and slow during the heat of summer.<sup>69</sup> Moreover, some security analysts maintain that anti-smuggling operations are unlikely to have a significant impact on migration flows in the long-run. As long as the root causes driving minors to emigrate remain unaddressed, smuggling will remain a high demand and lucrative business, and organized criminal groups or other actors will fill the void left by dismantled networks.<sup>70</sup>

Strengthening Central American nations' capacities to receive and reintegrate deportees is likely to be another major focus of the short-term U.S. policy response. The Administration has reprogrammed some assistance to assist partner countries with such efforts, and several measures introduced in Congress would offer additional support if enacted. Likewise, various international organizations are offering assistance to northern triangle governments as they begin to expand their support services for repatriated citizens. Nevertheless, reports that deported children are being murdered in Honduras and El Salvador raise questions as to whether the countries will be able to quickly ramp up their capacity to provide adequate attention and protection to those who are returned.

In the long-run, reducing the flow of Central Americans to the United States will require a sustained effort to improve socioeconomic and security conditions in the region. Given that the United States has historically played an influential role in Central America and that U.S. drug demand has contributed to regional security challenges, Central American leaders and others contend that the United States should assume some of the responsibility for addressing the situation.<sup>71</sup> Current U.S. policy provides support for Central American efforts to improve governance, economic opportunity, and citizen security through traditional bilateral development

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<sup>69</sup> Gabriel Stargardter, "Brutality and 'The Beast': Why Child Migration to U.S. is Slowing Down," *Reuters*, August 12, 2014; Christopher Sherman, "Fewer Unaccompanied Child Immigrants Cross Texas-Mexico Border, but Lower Numbers May Not Last," *Associated Press*, August 7, 2014.

<sup>70</sup> Kyra Gurney, "US 'Operation Coyote' Fails to Address Child Migrant Crisis," *Insight Crime*, July 23, 2014.

<sup>71</sup> See, for example, Otto Pérez Molina, "In Latin America, We Know Who is to Blame for Our Child Migrant Crisis," *Guardian*, August 2, 2014; and General John F. Kelly, "SOUTHCOM Chief: Central America Drug War a Dire Threat to U.S. National Security," *Military Times*, July 8, 2014.

programs, CARSI, and the MCC. According to Administration officials, while “these programs are having an impact on some of the systemic conditions...they’ve been limited in scope because of the amount of funding available for them.”<sup>72</sup> While the FY2014 supplemental and FY2015 foreign aid appropriations bills under consideration in Congress would increase assistance to Central American countries at varying levels, Central American leaders and some analysts are calling for a far more extensive aid program. They maintain that something akin to Plan Colombia, which provided more than \$9 billion to Colombia between FY2000 and FY2013, is necessary.<sup>73</sup> Administration officials have indicated that an assistance program of that size is unlikely in the near term,<sup>74</sup> and it is far from certain that such an assistance program would be approved by Congress.

While many analysts argue that Central American nations will require external support to address their challenges, they also maintain that significant improvements in security and socioeconomic conditions ultimately will depend on Central American leaders carrying out substantial internal reforms. Government leaders, civil society organizations, and business elites in Central America will need to develop concrete policies to raise revenues, reduce corruption, strengthen institutions, and expand educational and economic opportunities. Until Central American leaders commit to such reforms, U.S. initiatives in the region may fail to produce policy makers’ desired results.<sup>75</sup>

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<sup>72</sup> Testimony of Francisco Palmieri, Deputy Assistant Secretary for the Caribbean and Central America, U.S. Department of State, before the Senate Committee on Homeland Security and Governmental Affairs, *Challenges at the Border: Examining the Causes, Consequences, and Responses to the Rise in Apprehensions at the Southern Border*, 113th Cong., 2nd sess., July 9, 2014.

<sup>73</sup> See, for example, Ramon Sahmkow, “Líderes Centroamericanos Pedirán a Obama Plan Regional de Seguridad para Migración Ilegal,” *Agence France Presse*, July 24, 2014; and Daniel Runde, “To Stop the Surge of Migrants, Central America Needs a ‘Plan Colombia,’” *Foreign Policy*, August 18, 2014.

<sup>74</sup> “Biden Says Central America Not Ready for a ‘Plan Colombia,’” *Latin News Daily Briefing*, August 7, 2014.

<sup>75</sup> Statement of Eric L. Olson, before the before the Senate Committee on Homeland Security and Governmental Affairs, *Challenges at the Border: Examining and Addressing the Root Causes Behind the Rise in Apprehensions at the Southern Border*, 113th Cong., 2nd sess., July 16, 2014; Adam Isacson, “Isacson: Immigration Crisis is Product of Perfect Storm of Conditions in Central America,” *Fox News Latino*, July 25, 2014; and Héctor Silva Avalos, “How to Stop the Surge of Migrant Children: Focus on Security Misses Bigger Problems,” *New York Times*, July 8, 2014.